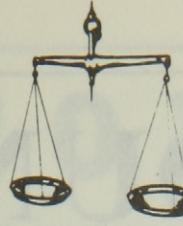


Quid Novi



VOL. VII NO. 14

McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT UNIVERSITE MCGILL

January 28, 1987
Le 28 janvier 1987

A Tale of Two Cities

by Cheryl Goldsmith and
Holly Cullen
National IV

As native Montrealers, far be it from either one of us to admit that Toronto has ever bested Montreal in any way. However, on the subject of articling interviews, Montreal law firms have a lot to learn from the "Boys on Bay". We write this not to make accusations, but rather to suggest that change is long past due in our home town.

We are both graduating (G-d and the Faculty will-

ing) in June, and will go our separate ways: one to article in Toronto, the other to Bar School and a stage in Montreal. Although we are both satisfied with the results our respective job searches yielded, the process was an eye-opener to say the least.

We begin the odyssey in Montreal at around this time last year...

For the information of the uninitiated, there is really no uniform hiring period in Montreal. Although students were told last

year that many of the larger law firms had reached a gentleman's agreement to schedule their interviews at the end of August and beginning of September, it soon became apparent that this was an agreement more honoured in the breach. In a competitive situation, early interviewing by one or two firms forced others to follow suit. In the result, students were faced with interviews before, during and after the exam period. In addition, because interviews continued to be held throughout the summer, students accepted out-of-town jobs or vacationed at their own peril. Moreover, the information gap resulted in missed application deadlines at individual firms.

FACULTY COUNCIL

by Bettina Karpel

Yes, it's true. The student reps to Faculty Council sat in on the famous (or should that be infamous?) "Marks Meeting" two weeks ago. Well, maybe that's stretching the truth a bit...They sat in on the open session of that Faculty Council meeting, the part of the meeting where no one really cares what happens: The open session can't possibly measure up to the closed session where the "World According to Grades" unfolds. Nevertheless, if only for the entertainment value of some of the comments which surfaced during the open session, here is a

summary of the events of that session.

The LSA asked the Dean whether anything was being done to ensure that students could have access to information respecting the courses from which they have to choose. Apparently some complaints have surfaced regarding this matter and the LSA suggested that students be told in advance the methods of evaluation and their percentage value of the final grade, which methods are optional or to assist only, whether the exam is closed book or open book and the date when assignments will be due. The Dean answered that there are faculty regulations in

Once applications were made, new communication problems developed. Some firms never acknowledged

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this area and that he circulates to all professors a set of guidelines which include the suggestion that no changes be made to course descriptions once courses have begun. He saw no reason not to send out a form, similar to that used with respect to exams, requesting the desired information, and he thought

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LIBRARY

JAN 30 1987

MCGILL UNIVERSITY



ANNOUNCEMENTS

The Scarlet Key Award

The Scarlet Key Selection Committee is pleased to invite McGill students who have actively contributed to the leadership of extra-curricular activities to become candidates for the Scarlet Key Award.

The important contribution which extra-curricular activities provide to the quality of student life at McGill is well known and the purpose of the Scarlet Key Award is to recognize those students who have made a special leadership effort in this area. The Award holds no monetary value but has been a traditional McGill Student Leadership Award since its inception in 1926. Recipients of the Award automatically become members of the Scarlet Key Society of McGill University. It is our wish to encourage more students to become involved.

Please note that there is a deadline for the submission of nominations. The completed application and reference forms must be received before February 27, 1987. The initial selection of potential recipients is based almost entirely on information contained in those forms, thus we would appreciate that they be filled out as completely and accurately as possible. APPLICATION KITS ARE AVAILABLE AT THE INFORMATION DESK, STUDENT'S SOCIETY BUILDING. (Applications can be picked up at SAO and LSA offices.)

Summer Research Internship Program - 1987

The LAW REFORM COMMISSION OF CANADA announces its Summer Research Internship Program for 1987.

Each summer this program brings to our office in Ottawa a small group of outstanding students who engage in research under the direction of the staff of the Commission. By offering students this opportunity, our aim is to help foster basic research into law and law-related issues, as well as providing on-the-job training for the law reformers of tomorrow. They will be helping with the Commission's current work in the fields of criminal law and procedure, administrative law and jurisprudence. This program is not limited to law students, as long as the applicant's areas of interest include these topics.

The Law Reform Commission seeks students who have high academic qualifications, the capacity to engage in serious research, and who have the proven ability to write effectively and clearly.

Interns begin work in Ottawa on **Monday, June 1, 1987** and finish on **Friday, August 21, 1987**. In certain cases it is possible for a student to work elsewhere if arrangements can be made for adequate supervision.

Applicants should write a letter, outlining their studies at university, their research interest and their plans for the future. These letters should be submitted to Professor

Somerville along with a copy of the applicant's transcript and at least one letter of recommendation from the professor who supervised any research work which is being submitted.

Applications must be received by **Friday February 27, 1987** and final selection may be made by **April 1, 1987**. The Law Reform Commission has authorized up to four internships for 1987. The successful applicants will receive \$3,840 for their work with us, plus transportation to and from Ottawa.

International Law Association

Invitation to a Conference:

Organized by: The ILA/Canadian Branch

Organise par: L'ADI/section canadienne

Date: Thursday, January 29, 1987/jeudi, le 29 janvier 1987.

Hour/heure: 5:30p.m./17h30

Location/endroit: Institute of Air and Space Law/Institut de droit aérien et spatial:

3690 Peel
Room 104

Speaker/Conférencier: David Patterson, Senior Counsel Commercial Law, Department of Justice, Ottawa/Conseiller principal, droit commercial, Ministère de la Justice, Ottawa

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EDITORIAL

Well, marks are out for yet another term at this venerable institution of higher learning. Without making claims to being exhaustive in the following undertaking, here follow some observations and Great Truths which have been culled from the mass of paper polluting our hard-won and deeply appreciated brand new paint job in the cafeteria:

1) Steven Scott continues to ravish the minds, hearts, dreams and hopes of numerous first year students entrusted to his care and beneficence, this notwithstanding the scandal which ensued for precisely the same reason exactly one year ago, and notwithstanding mumbled assurances at that time that no part of the scenario would be replayed in the future.

2) LL.B I students are well advised to undertake an agenda of protecting their academic interests in the future by attempting to negotiate a policy that the venerable Paul A. Crepeau not be allowed to teach them Obligations next year given that he failed 8 LL.B II students in his Obligations class last term. (How did they all manage to pass Contracts I anyway?)

3) Suzanne Birks has probably just bought herself an enrollment of 400 in her Government Control of Business course next year. After all, if you must write a paper, why not do it for her (A:8, A-:12, B+:8, B:8, B-:2) rather than for Margo Somerville and Robert Kouri (A:1, A-:12, B+:12, B:2, B-:2, C+:2, C-:2 - Oh how I love symmetry)?

4) If anyone should ever in the future register for Intellectual & Industrial Property with Patrick Kierans, said person should be shot on sight; for, what do you get for taking this 2 credit option course?

1- 1 550 page casebook, in two volumes;

2- Lectures which are acceptable but certainly not stellar;

3- A closed book exam - and no you cannot even bring your statutes with you. You are required to memorize, in their entirety and in addition to the 550 pages of cases, the following statutes: The Copyright Act, the Patents Act, the Trade Marks Act and the Industrial Design Act.

In return for all of which you will receive a mark skewing as follows:

A:0
A-:0
B+:1
B:7
B-:20
C+:10
C-:6
D:2

Van Gogh

Cont'd from p. 6

dégage une douceur des teintes, une composition sans révolte, simple et belle (également peints par Cezanne 20 ans auparavant). Lorsque soudain, par une journée chaude de juillet 1890, Vincent, appuyé sur un tas de foin, sort de sa poche un revolver et met fin à ses jours sans autre explication qu'une toile effrayante, sa dernière: "Crows over the Wheat Field."

(Van Gogh in Saint-Rémy and Auvers, 25 novembre 1986 - 22 mars 1987, Metropolitan Museum of Art, 5th ave at 82nd street, New York, prix d'entrée: 4.50 U.S. disponible au comptoir Ticketron).

Legal Laffs

Croydon magistrates were bewildered by some of the evidence being given by a defendant, and so was the prosecuting counsel. "Are you making up your evidence as you go along?" he asked.

"Do you think I could make up these lies?" the accused replied.

When Lord Bacon was Chancellor of England, he presided over the trial of a man named Hogg. Appealing for mercy, the latter had a sudden flash of inspiration and pointed out that, after all, as Hogg and Bacon they were related. "Not until the Hogg's been hung," replied Lord Bacon.

Got any other tales of travesty and injustice? Piqued be what transpired in any of your courses last term? Then why not submit your story to the Quid? We may not ever get accountability, or see an end to the arbitrariness by which we feel we are ruled here, but if we are diligent in monitoring what transpires and in sharing this information with all affected (i.e. the student body), then we will at least be empowering and protecting ourselves through this public sharing of information.

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Announcements Cont'd from p. 2

Topic/Titre: Negotiating with Foreign State Trading Organizations

Info: Louise Morel/
392-4632

Law Partners Wine and Cheese

This meet and greet is being held to allow first year students to mix with fellow students, faculty and staff.

Date: Thursday, January 29
Time: 3:30 - 5:00 p.m.

Invite your Law Partner and get to meet a few people outside your own year and programme.

U.S. Bar/Bri Review

Tapes for the U.S. Bar/Bri Review Course are scheduled to arrive March 1.

Would all those planning on participating kindly inform Shari Moidel and pay the fees. She has all the necessary materials and answers to your questions. Thank you.

Valentine's Day

A Valentine's mailbox will be placed in the lobby of New Chancellor Day Hall so that students wishing to extend Valentine's wishes to friends can deposit cards in it.

To the 1st Year Class

The Moot Court Board wishes to re-affirm faculty policy that all members of

the 1st year class must partake in the Mooting exercise, conflicts of feeding schedules notwithstanding. Consequently, Messrs. G. Raphe and C. Lyon are not excused and must suffer vivisection with the rest of you. (Incidentally Messrs. Raphe and Lyon are encouraged to pick up their materials - it's getting close to that time!) Mr. Don Key, Director of the Granby Zoo, has been informed and has kindly consented to schedule feedings around the Mooting period. Messrs. Raphe and Lyon will be able to eat before and after completion of their factums and pleadings. Best we can do!

"We aim to please"
The MC Board

Placement Centre

1987 Summer Law Student Employment Opportunity

The office of the Official Guardian (Ontario) has openings for 3 or 4 summer law students for 1987. The Office is responsible for providing legal representation to children in various matters. Interested students should apply in writing with a copy of their C.V.'s and law school transcripts by 13 February, 1987.

1987 Summer Law Student Programme Office of the Official Guardian Ministry of the Attorney General
6th Floor
180 Dundas Street West
TORONTO, ONTARIO
M5G 1E4

7 WEEKS TO GO!

A Tale of Two Cities**Cont'd from p. 1**

receipt of letters and others only several months later. Coupled with the lack of firm and uniform application deadlines, this created a dilemma for students: To phone or not to phone, which was worse?

In many cases, the interviews themselves were a comedy of errors. While it is that appointments can and do run late, examining the artwork in the lobby for 30 to 45 minutes is excessive, especially when the interview itself is often about 15 minutes long. Further, many interviewers don't seem to have read the resumes in front of them in advance, nor have they yet learned the phrase "Please hold my calls," or that personal questions are off limits. (Haven't those people heard of the Quebec Charter of Human Rights and Freedoms?)

By contrast, the Toronto hiring process is far better organized. Because Law Society guidelines impose a time schedule on students and law firms alike, much uncertainty is eliminated: prompt written communication from firms is the norm rather than the exception. A student therefore has a clear understanding of his or her prospects prior to beginning the round of interviews. Moreover, in a situation in which the majority of interviews are conducted within one week the parties can "compare shop" with relative ease. Students are expected to have interviewed elsewhere and are not prejudiced thereby.

While articling interviews in Toronto are by no means painless, many interviewers take the time to put students at ease. Personal experience showed the

interviews to be orderly and thorough, while the interviewers themselves were generally courteous, well-prepared and punctual.

While articling interviews are not likely to become a national pastime, there is much to be said for a system that gives students the opportunity to shine in an interview while evaluating the law firms.

We do not necessarily advocate as regulated a system for Montreal. It seems however, that the interviewing process would be better served by a concerted effort towards better organization, particularly with respect to a uniform time frame. While law firms must undoubtedly take the initiative, part of the responsibility lies with students to make their concerns known and to work with the profession to improve the system. It's in everyone's best interest.

Faculty Council**Cont'd from p. 1**

it would be a good idea for the Associate Dean, Mrs. Lederer and the LSA to draft such a form. Associate Dean Haanappel added that changes to course descriptions were usually made with the approval of students and that due to part-time lecturers it was not always possible to obtain the desired information in time for the Early Course Selection materials.

The discussion then turned to a motion put forth by Professor Buckley on behalf of the Examination Board. As many of you no doubt remember, two years ago the Faculty abandoned the HPA system to join the rest of the University with the GPA system. A corollary of this

change was the addition of the D, B- and A- grades and the deletion of the A+ grade. As a result, the A grade received the designation "truly exceptional performance", a description which had been reserved for the exclusive A+ grade, and the A- grade received the designation "real excellence". The Exam Board was concerned that keeping these descriptions of the grades would lead professors to view the A grade as the old A+ grade and the A-grade as the old A grade. This would defeat the purpose of the move to the GPA system which was to bring McGill Law in line with the marking schemes of other law faculties. While those within the McGill Faculty of Law would understand the real meaning of an A-grade, the outside world would not have the same impression. To remedy this problem, it was suggested that the A grade be designated "real excellence" and A- "excellence" in hopes that this would psychologically prompt a McGill professor to award an A where he or she might otherwise have awarded an A- because he or she was still functioning on the HPA system. The motion passed amid comments by Professor Crepeau that he preferred the HPA system because the A grade cannot be associated with a minus since this is psychologically confusing. Professor Scott also preferred the HPA scheme and asked whether if we had the descriptions of "real excellence" and "excellence"; did "real excellence" mean something akin to "pregnant with a celestial spark" while "excellent" meant "almost pregnant"? Professor Buckley once again reiterated the purpose of this motion and commented to Professors Scott and Crepeau: "It's a problem you two have not had to worry about."

VAN GOGH: L'AGONIE DE LA PASSION

par Francois Cossette

New York, capitale de l'empire, véritable ventre de la bête semble en ce nouvel an plus insouciant que jamais, comme en témoigne l'ouverture spectaculaire des marchés boursiers de Wall Street et l'indifférence générale que suscite les révélations troublantes de ce qu'on appelle machinalement l'Irangate. Pourtant, les sans-abris, de plus en plus nombreux jonchent les belles avenues de la métropole tandis que la colère gronde à Howard Beach (Queens) où des incidents raciaux ont eu tôt fait de faire monter la pression déjà forte entre blancs et noirs. New York, absurde et géniale à la fois, ou pauvreté extrême côtoit quotidiennement une prospérité éclatante, constitue néanmoins une toile de fond idéale pour pénétrer le personnage de Vincent Van Gogh tout aussi génial et absurde. Le Metropolitan Museum of Art présente donc cette année jusqu'au 22 mars 1987, "Van Gogh in Saint-Rémy and Auvers", une exposition consacrée entièrement aux 15 derniers mois de la vie du célèbre artiste alors qu'il se fit volontairement interne d'abord à l'asile de Saint-Rémy (près d'Arles) puis à Auvers dans la région parisienne, où il se suicida en juillet 1890.

Après "Van Gogh in Arles" présentée en 1984, il était logique pour le "Met" de compléter sa démonstration Van Goghienne par cette période contenue entre mai 1889 et juillet 1890, période qui marque la phrase finale de l'œuvre du peintre caractérisée par un désir brûlant de créer, comme en témoigne une productivité inouïe (70 toiles en 70 jours). Les quelques 90 toiles de l'exposition sont présentées dans un ordre chronologique, souvent regroupées afin de démontrer certaines techniques utilisées et/ou l'état d'esprit particulier de

l'artiste. La disposition des œuvres dans les différentes galeries respire la compétence et démontre l'intelligence de ses concepteurs. Elle permet, en outre, à l'observateur de constater l'évolution graphique et symbolique des toiles jusqu'à la toute dernière peinte par Van Gogh "Crows over the Wheat Field," scène macabre qui laisse présager le pire.

Cette exposition se divise en deux volets: la première période se compose des 12 mois que Van Gogh passa (volontairement) à l'asile de Saint-Rémy, petit village de Provence, tandis que la deuxième couvre les trois derniers mois d'existence de l'artiste alors revenu dans le nord de la France, à Auvers. A Saint-Rémy, Van Gogh passera ses premiers mois d'internat à travailler dans son studio, il en résultera quelques tableaux fort émouvants dépeignant les longs couloirs tristes d'un asile (bâti au XII^e siècle dans le style Romanesque, il fut d'abord un monastère) froid et sans âme. Ce n'est que quelques mois après son arrivée à Saint-Rémy qu'il se décide de travailler à l'extérieur. Il deviendra alors obsédé par les cyprès (symbole de la mort, on les retrouve souvent dans les cimetières) et les oliviers; il écrira à son frère Théo: "The cypresses are always occupying my thoughts. I should like to make something of them like the canvases of the sunflowers, because it astonishes me that they have not yet been done as I see them. It is as beautiful in line and proportion as an Egyptian obelisk." Van Gogh crée alors de long cyprès disproportionnés exécutant des danses macabres vers le ciel dans des tons de bleuvert très foncés, il s'acharne aussi sur les vergers d'oliviers.

brûles par un soleil jaune (couleur qui l'obsède toute sa vie) sur un lit d'herbe jaunâtre, eux aussi imprégnés d'un mouvement fuyant. Pendant son séjour à Saint-Rémy, Vincent est en proie à de nombreuses crises dont nous ne connaîtrons jamais la nature médicale exacte; il n'est en mesure de peindre que dans des intervalles de lucidité. Il tente de se suicider à plusieurs reprises (notamment en buvant de la térébenthine).

En mai 1890, nostalgique des paysages du nord et désireux de se rapprocher de son frère Théo, Van Gogh se rend à Auvers, sous la tutelle du Docteur Gachet, médecin, peintre, et grand amateur d'art. Cette association avec Gachet lui redonne l'énergie et l'enthousiasme pour la peinture, ainsi les trois derniers mois de sa vie il produit à un rythme effréné: 70 toiles en 70 jours. L'on aurait dit qu'ayant résolument décidé d'en finir, Van Gogh rend son dernier hommage à la peinture avec une sérénité déconcertante. Sa palette délaisse les bleuverts sombres pour des blancs, des bleus, des violets et des verts pâles, en somme des couleurs plus pastels, plus douces; il simplifie aussi ses compositions et adopte un seul format pour toutes ses toiles (double canvas) soit un format rectangulaire (50 cm X 100 cm) favorisant les perspectives horizontales (Van Gogh ne peint qu'une seule toile verticale à cette époque soit le "portrait du Dr. Gachet"). Paradoxalement, Auvers constitue l'apothéose de la vie artistique de Van Gogh: L'on sent en admirant ces toiles que le peintre est enfin parvenu au terme de sa longue quête, qu'il a enfin trouvé une paix intérieure. Son "Jardins de Daubigny" par exemple,

Cont'd on p. 3